

RULES

I CONSTITUTION AND SEAT OF THE ORGANISATION

Article 1

1. Exercising their right of association as described in article 24b of the Staff Regulations, temporary and contract agents in service at Eurojust, The Hague, hereafter referred to as "the Staff", who have accepted these Rules, form a trade union, hereinafter referred to as "the Union", with its headquarters in The Hague.
2. The Union declares to be regularly constituted organisation acting on base of these rules adopted after democratic consultation of its members.

II AFFILIATIONS AND NAME OF THE ORGANISATION

Article 2

1. The Union is affiliated to "Union Syndicale Fédérale, (USF)", the European and International Public Services Federal Trade Union, seated in Brussels.

The Union automatically benefits from all the affiliations of USF, and in particular, from its affiliation to the Public Services International (P.S.I.), seated in Ferney-Voltaire (France), and to the European Federation of Public Services Unions (EPSU) and thereby to European Trade Union Confederation (ETUC) and the International Trade Union Confederation (ITUC), all seated in Brussels.

2. The Union shall have the following title:

UNION SYNDICALE EUROJUST

III PURPOSE OF THE ORGANISATION

Article 3

1. The Union shares the objectives and the principles of the Union Syndicale Fédérale.
By means of practical solidarity with European and international labour, the Union shares also the objectives and the principles of the P.S.I., the EPSU, the ETUC, the ITUC as well as those of the International Confederation of Free Trade Unions (ICFTU).
2. The Union serves and defends the economic, social, professional and moral interests of its members and of the Staff without any discrimination based on any ground such as category, sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, or sexual orientation.
3. To these ends, the Union activities shall seek to:

- a. Defend the independence, permanence and competence of the European public service;
- b. Obtain recognition of the right of the Union itself to contribute, through free negotiations and through participation in administration, to the definition of the working conditions and the conditions of employment of its members and of the Staff;
- c. Defend the Staff interests by participating to the statutory and other bodies for staff representation.
- d. Do all within its power to ensure that the structures and the working methods of the European institutions are adapted to meet the requirements of a modern multinational administration that relies on common fundamental principles, written in the Staff Regulations, such as the right to remuneration, the right to association, the principles of non-discrimination, etc.

IV PRINCIPLES OF INDEPENDENCE AND SOLIDARITY

Article 4

1. The Union shall be independent of all national and international institutions, governments, administrations, political parties and religious beliefs.
2. For the purpose of defending common interests, the Union may be affiliated to any federation or association of Unions or Staff Associations of staff members of European or international organisations. The other Unions shall ideally be affiliated to the P.S.I. This affiliation shall not create any prejudice to the present rules.
3. The Union affirms its willingness and right to co-operate with other democratic trade Union organisations that have the same objectives.

V BODIES OF THE UNION

Article 5

The bodies of the Union shall be:

- a. The General Meeting,
- b. The Executive Committee,
- c. The Audit Board.

VI THE GENERAL MEETING

Article 6

1. The General Meeting is the supreme body of the Union. It consists of all members whose subscription fee payments are up to date. A payment is considered up to date when the member has paid periodically his/her contribution since his/her

subscription up to the month prior to the month in which the General Meeting is held.

An ordinary General Meeting is held once a year. It is validly convened by the Executive Committee by means of a written invitation sent to each member of the Union at least ten (10) working days before the date of the meeting.

2. The Executive Committee is obliged to convene an extraordinary General Meeting at the written request of at least 20% of the members of the Union.

Any extraordinary General Meeting shall be validly convened by a written invitation sent to each member of the Union at least two (2) working days before the date of the meeting.

3. For any General Meeting, be it ordinary or extraordinary, the Executive Committee fixes the date, time and draft agenda of the meeting. This information is communicated to all members together with the invitation. Any Union member may ask the Executive Committee to have an item added to the draft agenda at least three (3) working days prior to the meeting. The draft agenda includes an "Any Other Business" item and is to be approved right after the opening of the meeting.

4. The task and functions of the General Meeting shall include:

- a. Approving the Union policy guidelines as defined by the Executive Committee;
- b. Approving the annual report and, after hearing the opinion of the Audit Board, approving the financial report;
- c. Determining the subscription fees (see article [12.2](#));
- d. Voting motions addressed to the General Meeting;
- e. Carrying out the elections of the Union bodies in accordance with the provisions of article [14](#).
- f. Amending the Rules of the Union upon proposal by the Executive Committee.

5. The General Meeting makes decisions by the simple majority of the members present. Decisions relating to the amendment of these Rules, to the strike action (article [15](#)) and to the appeals brought under article [9.7](#), require a quorum, at the beginning of the meeting, of thirty percent (30%) of the members and a majority of two thirds (2/3) of the members present. The quorum is verified by the President of the Union before the adoption of the agenda.

If the quorum requirement is not fulfilled at the General Meeting concerned, a second General Meeting duly convened, in agreement with art. [6.3](#) and with the same agenda, is held validly without any quorum requirement.

6. For the purpose of holding democratic elections, the General Meeting shall appoint an Electoral Board, consisting of at least two (2) members of the Union who are not candidates, to supervise the elections to the Union bodies and to count the votes.

VII THE EXECUTIVE COMMITTEE

Article 7

1. The Executive Committee is the executive body of the Union.
2. The Executive Committee shall be responsible for defining and implementing the Union policy guidelines approved by the General Meeting and for managing the Union activities between four (4) ordinary General Meetings. To achieve its duties, the Executive Committee makes Decisions and issues Recommendations.
3. The responsibilities of the Executive Committee include:
 - a. Carrying out the tasks laid down by these Rules and taking the necessary measures to this end;
 - b. Administering the Union finances and assets in the spirit of a “bon père de famille”;
 - c. Establishing before each yearly ordinary General Meeting the annual report and the annual financial report.
 - d. Promoting the candidature of Union members to the Eurojust Staff Committee elections, considering each category of staff (AD, AST or CA), temporarily or permanently employed.

4. The Executive Committee consists of five (5) regular members. These members are elected according to the provisions laid down in article [14](#).

Any person who has been a member of the Union for at least six (6) months is eligible. At least twenty (20) working days before the ordinary General Meeting, the retiring Executive Committee sends a request to all the members to submit candidatures. The closing date for submitting candidatures is four (4) working days before the date of the ordinary General Meeting.

In order to guarantee its good functioning, the Executive Committee may decide to appoint up to two (2) associated non-voting members. This appointment may be revoked at any moment by the Executive Committee and expires on the day the mandate of the Executive Committee expires. For the appointment or dismissal of associated Executive Committee members, the decision shall be adopted by the next ordinary General Meeting, according to article [6.5](#).

As a general rule, the elections are held between 10 and 14 months after the elections of the Eurojust Staff Committee.

5. The Executive Committee consists of:
 - A President;
 - A Vice-President;
 - A Secretary;
 - A Treasurer,
 - One regular member and
 - Up to two associated members.

6. The Executive Committee meets at least eight (8) times per year. The meetings are preferably held before the Eurojust Staff Committee meetings.
7. In case any member of the Executive Committee withdraws for any reason during his/her term of office or is unable to bring his/her mandate to the foreseen end, the vacancy shall be filled by the Executive Committee through one of its associated members. This decision must be adopted by the next ordinary General Meeting, according to article [6.5](#).
8. Only the Executive Committee, or someone mandated on its behalf, may represent the Union. The Union is represented validly in legal proceedings by the joint signatures of the President and the Secretary. In the event of either of them being prevented from signing, the signature of the President or of the Secretary may be accompanied by that of another regular member of the Executive Committee. In the event of both the President and the Secretary being prevented simultaneously, the Union may be validly represented in legal proceedings by the joint signatures of the three remaining regular members of the Executive Committee.
9. The Executive Committee may also consult individually members of the Union having specific knowledge or ask them to assume responsibilities for specific tasks.
10. When a problem concerning a particular group of staff is submitted to the Executive Committee, the latter is obliged to first consult the members of the Union belonging to this group and analyse the possible impacts before taking any action to tackle the problem.
11. The Executive Committee may propose amendments to these Rules. Any proposal is notified in advance to the members of the Union and must be included explicitly on the agenda of the next General Meeting.
12. In case of resignation of the Executive Committee as a whole, this outgoing Executive Committee shall call immediately an extraordinary General Meeting to organise the election of the new Executive Committee, as per article [14](#). The newly elected Executive Committee shall organise the following elections as per article [7.4](#), last paragraph.

VIII THE AUDIT BOARD

Article 8

1. The Audit Board shall consist of two (2) persons who have been members of the Union for at least six (6) months. The members are called auditors. The Audit Board is responsible for supervising the Executive Committee's administration of the Union finances and assets.
2. The Audit Board is elected. The mandate of the auditors lasts as long as the one of the Executive Committee (article [7.2](#)). The post of auditor is incompatible with that of member of the Executive Committee.

3. The Audit Board is responsible for regularly auditing the accounts, on its own initiative and at least once after the end of each calendar year. At the ordinary General Meeting, it may recommend a discharge to be given by the General Meeting to the Executive Committee.
4. In order to guarantee the good functioning of the Audit Board, the Executive Committee is obliged to grant access to any accounting documentation at the request of the Audit Board. Nevertheless, the Audit Board is allowed to remove only copies of such documentation. The Audit Board must warrant the confidentiality of the documentation.
5. The Audit Board is empowered to consider any claim, from any member of the Union, regarding the Executive Committee's administration of the Union finances and assets. In such case, the Audit Board will first carry out the necessary action for verifying the grounds of the claim and, if any found, report on the issue during the next General Meeting.

IX ADMISSION, EXPULSION AND RESIGNATION

Article 9

1. Any temporary or contract agent, any retired temporary or contract agent may seek admission to the Union.
2. The request for admission to the Union is done by way of a written declaration, which implies the acceptance of these Rules. The membership to the Union takes effect on the date of the request for admission, pending the provisions laid down in article 9.3 here below and after payment of the due membership fees.
3. The Executive Committee makes the decision on the admission of the applicant. In the event of the Executive Committee rejecting the application, the applicant may appeal against such decision to the Executive Committee. The latter is obliged to submit the appeal to the next General Meeting, the matter being included explicitly on the agenda. The appeal may be rejected according to article [6.5](#).
4. A member may resign from the Union at any time. The resignation must be notified to the Executive Committee in writing. The resignation enters into force at the earliest on the date of the written communication to the Executive Committee.
5. Membership rights are automatically suspended as a result of a voluntary delay in the payment of subscriptions fees that has not been settled even after two (2) reminders from the Treasurer. This suspension is notified in writing to the member by the Executive Committee. The member has ten (10) working days to send a written justification to the Executive Committee. In the absence of any justification or without a valid justification, the membership will be cancelled by the Executive Committee.
6. The expulsion from the Union may be called for by the Executive Committee concerning a member whose behaviour is considered harmful to the Union.

Such request by the Executive Committee must be notified to the member concerned in writing.

7. An appeal against this decision may be lodged to the next General Meeting, via the Executive Committee, by the member. The matter is then included explicitly on the agenda. The General Meeting hears the member concerned and decides according to article 6.5., during the appeal period and until the decision of the General Meeting.

X MEMBERS' RIGHTS

Article 10

1. Each member has the right, by taking part in Union General Meetings and elections, to contribute in determining the Union policy guidelines and the composition of its bodies. The member has the right to state his/her opinion towards any matter related to the Union organisation during a General Meeting or at any time, in writing, to the Executive Committee.
2. Any Union member may obtain information from the Union legal service concerning any aspect of his/her professional life. If needed, legal assistance may be granted to the member by the Executive Committee, which decides in each individual case the nature, the extent and the partition of the costs of such assistance between the member and the Union.
3. The Union legal services and legal assistance is also available to surviving partners and orphans of deceased members.
4. The Executive Committee has the power to confer, by a majority of two thirds (2/3) of its members, honorary membership of any of the Union bodies, except the Audit Board, to former employees of European institutions. These employees have gained this merit through distinctive services rendered to any trade union movement of the staff of European institutions and organisations.

An honorary membership to a Union body does not count in the number of seats of that body. Honorary members of the Executive Committee have no voting rights.

5. On the death of a Union member, the surviving partner automatically becomes a member of the Union with all the rights and duties of an ordinary member, unless he or she declines in writing this option.

XI MEMBERS DUTIES

Article 11

1. Each member undertakes to defend the Union interests and to take an active part in fulfilling the objectives set out in these Rules and in implementing the decisions of the Union bodies. The members are bound by the decisions of the Union bodies.
2. It is the duty of each member to pay his Union subscription fees regularly.

3. Honorary members pursuant to the provisions of art. [11.4](#) are exempted from paying subscription fees.
4. A surviving partner who becomes a member pursuant to the provisions of article [10.5](#) is exempted from paying subscription fees.

XII RESOURCES AND SUBSCRIPTIONS

Article 12

1. The Union resources consist of members' subscriptions fees, donations and other possible sources of revenue.
2. The General Meeting, relying on an Executive Committee's proposal in order to comply with article [7.3b](#), fixes the Subscription Fees System in relation to the members' basic salaries.
3. Retired staff benefits from reduced subscription fees.
4. The payment method of subscriptions fees is determined by the Executive Committee, in agreement with the Audit Board.
5. The system mentioned under article [12.2](#) forms an integral part of the Rules and shall be attached to them.

XIII LOSS OF MEMBERSHIP OF THE UNION BODIES

Article 13

1. Members of the Union bodies must attend as regularly as possible the meetings of the bodies they belong to.
2. If a member of one of the Union statutory bodies, except the General Meeting, fails, without a valid reason, to attend three consecutive meetings of that body, provided that he/she has been duly summoned, then he/she is deemed to have resigned and is replaced according to the procedures laid down in article [7.7](#).

XIV ELECTION TO THE UNION BODIES

Article 14

1. The election to the Executive Committee, and the Audit Board, must be held within five (5) working days after the relevant ordinary General Meeting. Candidatures received as a result of the request made by the Executive Committee (article [7.4](#)) are presented at the General Meeting.

The elections take place at the places, dates, and times notified to all members of the Union by the Executive Committee and are supervised by the Electoral Board appointed by the General Meeting (article [6.6](#)).

2. All members of the Union, whose subscription payments are up to date in the sense of article [6.1](#), take part in the elections to the Union bodies.
3. The electors receive the list of the candidates for whom they may vote. The list indicates the maximum number of votes that can be cast, corresponding to the number of vacant seats of the specific body.

Each elector may choose between postal voting and voting in person. The two methods of voting must ensure that:

- a. The secrecy of ballot is respected;
- b. A check is made on the eligibility to vote;
- c. It is impossible for any elector to vote more than once.

For this purpose, each elector is duly informed of the exact arrangements for the two options:

- a. Postal voting: double envelopes, ballot paper, deadlines, and means of dispatch and submission of the ballot paper;
 - b. Voting in person: communication of the polling station locations and their opening hours and date.
3. The Electoral Board first counts the votes on the ballot papers placed in the ballot boxes. Then, it counts those on the posted ballot papers that have been placed in a dedicated ballot box after opening the special double envelopes.

The Electoral Board draws up the minutes of the election proceedings and publishes the results within two (2) working days after the election day. These are notified in writing to all the members of the Union.

XV DECISION TO STRIKE

Article 15

1. The Executive Committee may not call a strike until it has consulted the Union members in a General Meeting convened for this purpose (article [6.5](#)).
2. In the event of "force majeure", the Executive Committee may call a strike by a four fifths (4/5) majority of its voting members. The Executive Committee is obliged to hold a General Meeting within ten (10) working days following such extreme decision.
3. It shall not be necessary to convene a General Meeting of the Union members when the decision to strike is submitted to the General Assembly of the Staff, which is called by the Executive Committee alone or jointly with other trade-unions.
4. In case of strike on local matters, the Executive Committee, alone or together with other trade-unions, negotiates the conditions of the end of the strike.

- 5 The Executive Committee examines the possibility to contribute to the financial support of the Union members that took part in the strike.

XVI CIVIL LIABILITY

Article 16

The civil liability of the Union or of its members is in all cases limited to the assets belonging to the Union in its own right.

XVII MAJOR CHANGES OR DISBANDMENT OF THE UNION AND USE OF ITS ASSETS

Article 17

1. Any major change implying loss of affiliation of the Union to the Union Syndicale Fédérale or disbandment of the Union may only be decided by a majority of at least four-fifths (4/5) of all the Union members.
2. In the event of major changes, as defined in art. 18.1, or disbandment, fifty percent (50%) of the assets belonging to the Union must be returned to the Union Syndicale Fédérale.
3. In the event of major changes as defined in art. [17.1](#), or of disbandment, the General Meeting, acting according to art. [6.5](#), decides on the use of the remaining part of the assets belonging to the Union.
4. The Audit Board must:
 - Hold a final audit of the financial administration,
 - Determine the value of the Union assets,
 - Use the assets as indicated in article [17.2](#) and as decided by the General Meeting (article [17.3](#)).

XVIII FINAL DIRECTIONS

Article 18

In order to further detail the content of these Rules, Internal Rules of Procedure may be adopted by the General Meeting. These Internal Rules of Procedure form an integral part of the Rules and must be attached to them.

XIX ENTRY INTO FORCE OF THESE RULES

Article 19

1. These Rules have been adopted by the General Meeting held on the 27 May 2016 and entered into force on 27 May 2016.
2. These Rules were changed by the General Meeting held on 17/02/2017 by removing the article regarding the Union Council. The rules were further amended following the General Meeting vote on 15/02/2018 regarding the Subscription Fees.

3. The Executive Committee takes all necessary measures to implement these Rules.

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Subscription Fee System

I DEFINITION

Article 1

1. With reference to article [12.2](#) of the Rules, the Subscription Fee System is based on the members' basic salaries. The General Meeting of 27 May 2016 decided to adopt subscription fees composed of a fixed part and a part that is proportional to the grade of the member. The General Meeting decided on 15 February 2018 to change the fee calculation system by removing the fixed part and amending the calculation of the proportional part.
2. The subscription fees are based on the current remuneration tables.
3. The Subscription Fees System is established to comply with article [7.3b](#) of the Rules.

II SUBSCRIPTION FEES FOR TEMPORARY AGENTS

Article 2

1. The subscription fees for temporary agents are based on the following remuneration table¹:

01/07/2017	Step
Grade	1
16	18.310,61
15	16.183,53
14	14.303,51
13	12.641,93
12	11.173,35
11	9.875,37
10	8.728,19
9	7.714,25
8	6.818,11
7	6.026,07
6	5.326,04
5	4.707,34
4	4.160,50
3	3.677,17
2	3.250,01
1	2.872,47

2. For temporary agents the monthly subscription fee is calculated using the formula:

¹ The remuneration table is taken from <https://myintracomm.ec.testa.eu/staff/EN/working-conditions/pay/Pages/scale.aspx>

0.16% of basic salary, step 1

III SUBSCRIPTION FEES FOR CONTRACT AGENTS

Article 3

1 The subscription fees are based on following remuneration table²:

Function group	01/07/2017	Step	
	Grade	1	
IV	18	6.312,13	
	17	5.578,83	
	16	4.930,71	
	15	4.357,88	
	14	3.851,61	
	13	3.404,15	
III	12	4.357,82	
	11	3.851,58	
	10	3.404,14	
	9	3.008,68	
	8	2.659,17	
	II	7	3.008,61
6		2.659,05	
5		2.350,09	
4		2.077,02	
I		3	2.558,73
		2	2.262,02
	1	1.999,73	

2 For contract agents, the monthly subscription fee is calculated using the formula:

0.16% of basic salary, step 1

IV SUBSCRIPTION FEES FOR RETIRED STAFF

Article 4

1 In line with article [12.3](#) of the Rules, the subscription fees of retired staff shall be more modest than those of active members, based on the grade the retired staff had when he or she retired. The monthly subscription fee is calculated using the formula:

0.16% of basic pension

V PERIODICITY OF PAYMENTS

Article 5

² The remuneration table is taken from <https://myintracomm.ec.testa.eu/staff/EN/working-conditions/pay/Pages/scale.aspx>

- 1 The subscription fees shall be paid on a monthly or on a yearly basis. In case of an annual payment, the payment shall be made within the first two months of the calendar year.
- 2 The payment shall be made by bank transfer to the bank account of the Union.
- 3 Exceptionally and only for a temporary period, payments may be made on another basis than the one requested in article [5.1](#) of the Subscription Fee System and/or using another method than the one requested in article [5.2](#) of the Subscription Fee System.
- 4 The Union member wanting to use the possibility mentioned in article [5.3](#) of the Subscription Fee System shall make a request in writing to the Treasurer. The latter shall respond within five (5) working days, after having consulted the Executive Committee.

VI ENTRY INTO FORCE OF THIS UNION SUBSCRIPTION FEES SYSTEM

Article 6

1. This Subscription Fee System has been adopted by the General Meeting on 15/02/2018 and has entered into force retroactively from 01/01/2018.
2. The Executive Committee takes all necessary measures to implement the Subscription Fee System.